MONDAY, OCTOBER 5,1998

Crim. THE PEOPLE (Not for Publication)

No. v.

C028169 PATRICK WALTER CYR

The judgment is affirmed.

HULL, J.

We concur: DAVIS, Acting P.J.

RAYE, J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C027771 DAVID MATTHEW FITZPATRICK

The judgment is affirmed. The trial court is directed to amend the abstract of judgment in accordance with this opinion and to send a copy of the amended abstract to the Department of Corrections.

RAYE, J.

We concur: DAVIS, Acting P.J.

HULL, J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C026613 JACKY JAY BROWN

The judgment is affirmed.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.

RAYE, J.

MONDAY, OCTOBER 5,1998 CONTINUED

Crim. THE PEOPLE (Certified for Partial Publication)

No. v.

C024963 GEORGE TABIOS, JR., ET AL.

The judgments are affirmed. (CERTIFIED FOR PARTIAL

PUBLICATION.)

HULL, J.

We concur: SIMS, Acting P.J.

DAVIS, J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C028107 JEFFREY CRAIG SMOCK

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.

HULL, J.

Civil DENNIS MONTGOMERY (Not for Publication)

No. v.

C027379 MICHAEL FLAHERTY

The order denying the petition to compel arbitration is affirmed.

SCOTLAND, J.

We concur: DAVIS, Acting P.J.

CALLAHAN, J.

Civil GARY A. OTTINGER (Not for Publication)

No. v.

C028180 HI-RIDGE LUMBER COMPANY

The judgment is affirmed.

HULL, J.

We concur: DAVIS, Acting P.J.

SCOTLAND, J.

TUESDAY, OCTOBER 6, 1998

Civil ERNEST FREGGIARO (Not for Publication)

No. v

C027954 RICHARD BERGER

BY THE COURT:

Pursuant to the written stipulation of counsel, the appeal filed on November 7, 1997, is dismissed. It is further ordered pursuant to said stipulation that the parties will bear their own costs on appeal and the remittitur will issue forthwith.

Dated: October 6, 1998

BLEASE, Acting P.J.

Juvenile In re BRIANNA R., A person Coming Under the Juvenile Court Law.

No. DEPARTMENT OF HEALTH AND HUMAN SERVICES

C028536 v.

GIGETTE R.

BY THE COURT:

Appellant's request to publish the opinion filed on September 24,

1998, is denied.

Dated: October 6, 1998

SCOTLAND, Acting P.J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C026970 MANHAL MIKE ZAZA

The judgment is affirmed.

DAVIS, J.

We concur: BLEASE, Acting P.J.

RAYE, J.

TUESDAY, OCTOBER 6, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)

No. v

C027195 KEVIN DARWIN BELL

The judgment is modified to reflect concurrent sentences on counts one and two and an award of 614 days of presentence custody credit to defendant. The abstract of judgment is corrected to reflect prior convictions one and two were serious felonies. The trial is directed to prepare an amended abstract if judgment and to forward certified copy to the Department of Corrections.

As modified, the judgment is affirmed.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.

RAYE, J.

Juvenile In re BILLIE SUE B. ET AL., Persons Coming Under the Juvenile Court

No. Law.

C.028690 CHILDREN'S SERVICES DIVISION

v. (Not for Publication) WILLIAM B. AND CYNTHIA R.

The orders of the juvenile court are affirmed.

DAVIS, Acting P.J.

We concur: RAYE, J.

HULL, J.

WEDNESDAY, OCTOBER 7, 1998

Crim. THE PEOPLE (Not for Publication)

No. v.

C028678 JERRY LEE GOODMAN

The judgment is affirmed.

HULL, J.

We concur: SCOTLAND, Acting P.J.

NICHOLSON, J.

WEDNESDAY, OCTOBER 7, 1998 CONTINUED

Civil ED MASCHKE (Not Publication)

No. v

C026562 MAMMOTH MOUNTAIN SKI AREA

The judgment is affirmed. Defendant shall recover its costs on

appeal.

SIMS, J.

I concur:

DAVIS, J.

... For these reasons I concur in the judgment.

BLEASE, Acting P.J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C027294 TROY ARCHIE

The judgment is affirmed.

SCOTLAND, Acting P.J.

We concur: NICHOLSON, J.

HULL, J.

Juvenile In re NOVY ROSE A. ET AL., Persons Coming Under the Juvenile Court

No. Law. (Not for Publication)

C029171 DEPARTMENT OF HEALTH AND HUMAN SERVICES

 $\mathbf{v}.$

ROLLY A.

The orders of the juvenile court are affirmed.

BLEASE, Acting P.J.

We concur: RAYE, J.

HULL, J.

Crim. THE PEOPLE (Not for Publication)

No. v.

C028311 SHONDELL MCDONALD

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.

MORRISON, J.

WEDNESDAY, OCTOBER 7, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)

No. v.

C025438 BRIAN DANIEL MORRIS

The judgment is affirmed.

DAVIS, Actinc P.J.

We concur: NICHOLSON, J.

HULL, J.

THURSDAY, OCTOBER 8, 1998

Civil SCOTT BATES ET AL.

No. v.

C029049 KEVIN SCHONEMAN ET AL.

BY THE COURT:

Appellants' motions to recall the remittitur are granted. The Sacramento County Clerk is directed forthwith to return the remittitur issued on September 1, 1998. The order of this court of July 1, 1998, dismissing the appeals, is vacated and the appeals are reinstated.

Appellants' opening briefs and appendices are due to be served and filed on or before November 9, 1998.

Dated: October 8, 1998

SIMS, Acting P.J.

Civil JAMES ACKLES (Not for Publication)

No. v.

C025933 YUBA COUNTY WATER DISTRICT ET AL.

The judgment is affirmed.

SOCTLAND, J.

We concur: SIMS, Acting P.J.

MORRISON, J.

FRIDAY, OCTOBER 9, 1998

Civil In re the Marriage of LYNN R. KARGE & STEVEN L. WESSELS

No. LYNN R. KARGE

C029166 v.

STEVEN L. WESSELS

Civil In re the Marriage of LYNN R. KARGE & STEVEN L. WESSELS

No. LYNN R. KARGE

C029478 v.

STEVEN L. WESSELS

BY THE COURT:

The motion of appellant for consolidation of the above cases is granted. The cases are ordered consolidated for all further appellate procedures except that they will retain their respective case numbers. Whenever documents are submitted for filing by the parties, an original must be presented for each case number; however, if copies of documents are required to the California Rules of Court, the parties need only submit a maximum of four. The cases will be considered for decision together.

Appellant's combined opening brief is due on or before October 30, 1998.

Dated: October 9, 1998

The judgment is affirmed.

SIMS, Acting P.J.

Civil CALIFORNIA FIRST AMENDMENT COALITION

No. v. (Certified for Publication)

C024109 SUPERIOR COURT, SACRAMENTO COUNTY

PETE WILSON

The petition for writ of mandate is denied, and the alternative writ is discharged. The real party in interest shall recover costs on appeal.

RAYE, J.

We concur: BLEASE, Acting P.J.

NICHOLSON, J.

Juvenile ROSIE G. ET AL. (Not for Publication)

No. v.

C030315 THE SUPERIOR COURT OF SACRAMENTO COUNTY

SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN

SERVICES ET AL.

The petitions and requests for a stay are denied.

SIMS, Acting P.J.

We concur: DAVIS, J.

SCOTLAND, J.

FRIDAY, OCTOBER 9, 1998 CONTINUED

Crim. THE PEOPLE (Not for Publication)

No. v

C027838 ANNE ELIZABETH BUNTON

The judgment is affirmed.

NICHOLSON, J.

We concur: SIMS, Acting P.J.

CALLAHAN, J.

Juvenile In re RAYBURN H., a Person Coming Under the Juvenile Court Law.

No. DEPARTMENT OF SOCIAL SERVICES

C029176 v. (Not for Publication)

PENNY F.

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, Acting P.J.

CALLAHAN, J.